

Rec'd PCT/PTO 18 JUN 2002

Patent  
Attorney Docket: 253/220

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	)	Group Art Unit: Not yet assigned
LAMBERT ET AL.	)	Examiner: Not yet assigned
Serial No. 10/030,757	)	
I.O. Application No. PCT/US00/11394	)	
Filed: October 19, 2001	)	
I.O. Filing Date: April 28, 2000	)	
For: COMBINATION ATA/LINEAR FLASH	)	
MEMORY DEVICE	)	

TRANSMITTAL OF MISSING PARTS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on 5/1/02, enclosed are:

- ☒ Declaration
- ☒ Power of Attorney: ☐ Separate or ☒ Combined with Declaration
- ☒ An Assignment of the invention to SMART MODULAR, INC. (together with PTO Form 1595)
- ☒ Petition to Prosecute on Behalf of Co-Inventors

WP-20669.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

6/12/02

Christina Kavanaugh

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

**Complete If Known**

Application Number	10/030,757	I.O. Appln. No.:	PCT/US00/11394
Filing Date	October 19, 2001	I.O. Filing Date:	April 28, 200
First Named Inventor	LAMBERT ET AL.		
Examiner Name	Not Yet Assigned		
Group / Art Unit	Not Yet Assigned		
Attorney Docket No.	253/220		

TOTAL AMOUNT OF PAYMENT \$300

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number: 12-2475
- Deposit Account Name: Lyon & Lyon
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17.
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
21	-20**	X	
9	-3**	X	
Multiple Dependent		X	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	


Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)300

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Mark A. Catan, Esq.	Registration No. Attorney/Agent)	38,720	Telephone	(914) 681-8851
Signature		Date	6/12/02		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

- ☐ Petition for Extension of Time Under 37 CFR § 1.136(a)
- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)

## II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)		FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/>	one month	\$55.00	\$110.00
<input type="checkbox"/>	two months	\$200.00	\$400.00
<input type="checkbox"/>	three months	\$460.00	\$920.00
<input type="checkbox"/>	four months	\$720.00	\$1,440.00
<input type="checkbox"/>	five months	\$980.00	\$1,960.00

07/02/2002 MKAYPAGH 00000132 122175

01 FC:154

130.00 CH

<b>Fee</b>	<b>\$0.00</b>
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- ☐ If any extension fee is required, please consider this a petition therefor.

### III. FILING FEES

- ☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:									
Total Claims	21	-	20	=	0	x	\$18.00	\$0.00	
Independent Claims	9	-	3	=	0	x	\$84.00	\$0.00	
Multiple Dependent Claims	(if applicable)						<input type="checkbox"/>	\$0.00	
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)						<input checked="" type="checkbox"/>	130.00
TOTAL OF ABOVE CALCULATIONS									
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.									
<input type="checkbox"/>									
Extension of Time (from above)									
Assignment -- \$40 (if applicable)									
<input checked="" type="checkbox"/>									
40.00									
Petition Fee									
<input checked="" type="checkbox"/>									
130.00									
TOTAL FEES SUBMITTED HEREWITH									
\$300.00									

**IV. METHOD OF PAYMENT OF FEES:**

- ☐ A check in the amount of \_\_\_\_\_ are enclosed to cover the above fee(s).
- ☒ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of \$\_\_\_\_\_.
- ☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: 6/12/02

By: [Signature]

Mark A. Catan  
Reg. No. 38,720



**22249**

PATENT TRADEMARK OFFICE

LYON & LYON LLP  
Suite 4700  
633 W. Fifth Street  
Los Angeles, CA 90071  
(213) 489-1600



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/030,757	Grady Lambert	253/220 U.S.

Mark C Catan  
 Lyon & Lyon  
 633 West fifth Street  
 Suite 4700  
 Los Angeles, CA 90071-2066

INTERNATIONAL APPLICATION NO.	
PCT/US00/11394	
I.A. FILING DATE	PRIORITY DATE
07/28/2000	04/30/1999

CONFIRMATION NO. 2025

371 FORMALITIES LETTER



\*OC000000007965291\*

Date Mailed: 05/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

*Missing parts 7/1/02*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

RECEIVED

MAY 09 2002

U.S. PROSECUTION

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,757	PCT/US00/11394	253/220 U.S.

FORM PCT/DO/EO/905 (371 Formalities Notice)

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Craig Hendricksen  
72 Main Street  
Framingham, Massachusetts  
01450

Smart 253/220

2. Article Number

(Transfer from service label)

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PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Bonnie Hendricksen*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

2-11-02

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

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☐ Registered ☒ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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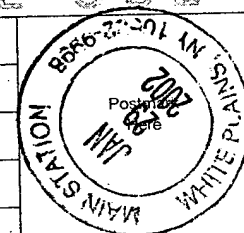
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(Endorsement Required)

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Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees

\$509



Sent to: Mr. Craig Hendricksen

Street, Apt. No., or PO Box No.  
72 Main Street

City, State, ZIP+4  
Framingham, Massachusetts 01450

PS Form 3800, May 2000

See Reverse for Instructions

**BEST AVAILABLE COPY**

LAW OFFICES

**LYON & LYON LLP**

A LIMITED LIABILITY PARTNERSHIP  
INCLUDING PROFESSIONAL CORPORATIONS

THE GATEWAY BUILDING

ONE NORTH LEXINGTON AVENUE, SUITE 1500

WHITE PLAINS, NEW YORK 10601

TELEPHONE: (914) 681-8851 or (212) 551-1700

FAX: (914) 686-4488

Mark A. Catan

Writer's E-Mail: [macatan@lyonlyon.com](mailto:macatan@lyonlyon.com)

**LOS ANGELES, CALIFORNIA**  
633 West Fifth Street, Suite 4700  
Los Angeles, California 90071  
Telephone: (213) 489-1600  
Fax: (213) 955-0440

**ORANGE COUNTY, CALIFORNIA**  
1900 Main Street, Sixth Floor  
Irvine, California 92614  
Telephone: (949) 567-2300  
Fax: (949) 567-6600

**SAN DIEGO, CALIFORNIA**  
4225 Executive Square, Suite 800  
La Jolla, California 92037  
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**SILICON VALLEY, CALIFORNIA**  
333 West San Carlos Street, Suite 800  
San Jose, California 95110  
Telephone: (408) 993-1555  
Fax: (408) 287-2664

**WASHINGTON, D.C.**  
1701 Pennsylvania Avenue N.W., Suite 1040  
Washington, D.C. 20006  
Telephone: (202) 331-3600  
Fax: (202) 331-3301

**WHITE PLAINS, NEW YORK**  
The Gateway Building  
One North Lexington Avenue, Suite 1500  
White Plains, New York 10601  
Telephone: (914) 681-8851 or  
(212) 551-1700  
Fax: (914) 686-4488

January 29, 2002

**VIA CERTIFIED MAIL**

Mr. Craig Hendricksen  
72 Main Street  
Framingham, Massachusetts 01450

**RE: National Phase of International Application  
No. PCT/US00/11394  
ATA/LINEAR FLASH MEMORY DEVICE  
Our Ref: 253/220 U.S.**

Dear Mr. Hendricksen:

Enclosed is another copy of the Utility Declaration and Power of Attorney  
“(Declaration)” attached to the above-identified PCT application, for execution by you as one of  
the inventors. Please review the Declaration and the application, and sign and date the  
Declaration on page 3 at No. 202. Return the Declaration and the attached application to me for  
filing.

In addition, an Assignment is provided, assigning the present application. Return the  
executed Assignment to me for filing, as well.

Very truly yours,



Mark A. Catan

MAC:tk  
Enclosures



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WHITE PLAINS, NEW YORK 10601

TELEPHONE: (914) 681-8851 or (212) 551-1700

FAX: (914) 686-4488

Mark A. Catan

Writer's E-Mail: [macatan@lyononlyon.com](mailto:macatan@lyononlyon.com)

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One North Lexington Avenue, Suite 1500  
White Plains, New York 10601  
Telephone: (914) 681-8851 or  
(212) 551-1700  
Fax: (914) 686-4488

October 18, 2001

Mr. Craig Hendricksen  
72 Main Street  
Framingham, Massachusetts 01450

**RE: National Phase of International Application  
No. PCT/US00/11394  
ATA/LINEAR FLASH MEMORY DEVICE  
Our Ref: 253/220 U.S.**

Dear Mr. Hendricksen:

Enclosed is a Utility Declaration and Power of Attorney "(Declaration)" attached to the above-identified PCT application, for execution by you as one of the inventors. Please review the Declaration and the application, and sign and date the Declaration on page 3 at No. 202. Return the Declaration and the attached application to me for filing.

In addition, an Assignment is provided, assigning the present application. Return the executed Assignment to me for filing, as well.

Very truly yours,



Mark A. Catan

MAC:tk  
Enclosures



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ONE NORTH LEXINGTON AVENUE, SUITE 1500

WHITE PLAINS, NEW YORK 10601

TELEPHONE: (914) 681-8851 or (212) 551-1700

FAX: (914) 686-4488

Mark A. Catan

Writer's E-Mail: [macatan@lyonlyon.com](mailto:macatan@lyonlyon.com)

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Telephone: (949) 567-2300  
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White Plains, New York 10601  
Telephone: (914) 681-8851 or  
(212) 551-1700  
Fax: (914) 686-4488

October 18, 2001

Mr. Grady Lambert  
Smart Modular, Inc.  
7 Lopez road  
Wilmington, Massachusetts 01887

**RE: National Phase of International Application  
No. PCT/US00/11394  
ATA/LINEAR FLASH MEMORY DEVICE  
Our Ref: 253/220 U.S.**

Dear Grady:

Enclosed is a Utility Declaration and Power of Attorney "(Declaration)" attached to the above-identified PCT application, for execution by you as one of the inventors. Please review the Declaration and the application, and sign and date the Declaration on page 3 at No. 201. Return the Declaration and the attached application to me for filing.

In addition, an Assignment is provided, assigning the present application. Return the executed Assignment to me for filing, as well.

Very truly yours,

Mark A. Catan

MAC:tk  
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Arrived at FedEx Destination Location FRAMINGHAM MA	10/19/2001 08:16	
Arrived at FedEx Ramp EAST BOSTON MA	10/19/2001 07:32	
Arrived at Sort Facility NEWARK NJ	10/18/2001 23:34	
Arrived at Sort Facility NEWARK NJ	10/18/2001 23:34	

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